

A G E N D A

BOARD OF SHELBY COUNTY COMMISSIONERS

CHARTER FORM OF GOVERNMENT

DECEMBER 22, 2003

1:30 P.M. COMMISSION CONVENES

CALL TO ORDER Deputy Sheriff Patsy Burrage

INVOCATION Reverend Rob Mullins, Bellevue Baptist Church

PLEDGE OF ALLEGIANCE

ROLL CALL

FORD **Approval of Minutes of Previous Sessions**
ADOPTED **December 8, 2003**

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

LILLARD 1. **Resolution commending Coach Charlie White and the**
ADOPTED **Germantown High School Red Devils football team.**

HOOKS 2. **Resolution commending Coach Tommy West and the**
ADOPTED **University of Memphis Tigers football team.**

Ordinances

HOOKS 3. **ORDINANCE - FIRST READING** – Ordinance (ZTA 03-001 CC)
APPROVED amending a Joint Ordinance amending the Memphis and
Shelby County **Zoning Ordinance-Regulations** adopted by the
Shelby County Board of commissioners on October 6, 1980,
and the City Council of the City o Memphis on October 7,
1980, being Resolution and Ordinance No. 3064, as amended,
so as to make certain changes therein as follows:

Amend Section 2, “Interpretations and Definitions”
Section 26, “Overlay District Regulations” to add a new
overlay district
Section 26, FP floodplain district, paragraph 1.7

Zoning and Subdivisions

**HOOKS
ADOPTED
(A-C)**

4. Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.

Reports and/or Resolutions of Standing Committees

**KIRK
ADOPTED**

5. Resolution amending the FY 2004 Shelby County Debt Service budget and the FY 2004 Capital Improvement Budget.

**KIRK
ADOPTED**

6. Resolution rescinding the sale of six delinquent tax parcels from tax sale(s) 95.1, 95.2, 97.2, and 98.2 pursuant to the provision of the TCA 67-5-2507.

**KIRK
ADOPTED**

7. Resolution approving expenditure of funds in the amount of \$1,122,111.99 to various vendors for the purchase of staple groceries for departments of Shelby County Government.

**KIRK
ADOPTED**

8. Resolution to approve an amendment between Shelby County Government and Casto Information Management Systems, Inc. (CIMS) for maintenance and support of hardware and software for the county's Document Management System in the total amount of \$67,205.10 from FY 2003-2004 Operations and Maintenance Budget, Account 010-201804-6780.

**KIRK
(DEFERRED
TO 01/12/04)**

9. Resolution approving professional services contract with Consilience Group, LLC in the amount of \$12,000.00. This project is funded by the Juvenile Accountability Incentive Block Grant.

**KIRK
ADOPTED**

10. Resolution to approve a contract with Gateway Companies, Inc. in the amount of \$1,000,000.00 for the purchase of personal computer hardware and accessories for departments of Shelby County Government.

**KIRK
ADOPTED**

11. Resolution to approve a contract with Thomas Consultants, Inc., in the amount of \$1,000,000.00 for the purchase of personal computer hardware and accessories for departments of Shelby County Government.

**LILLARD
ADOPTED**

12. Resolution approving a permanent sanitary sewer easement containing 5,515 square feet and two temporary construction easements containing 5,535 square feet to the City of Memphis for the Wolf River Interceptor Relief Sewer Phase 3 through a portion of Fletcher Creek Greenbelt property located near Summer Avenue and Fletcher Creek.

**AVERY
ADOPTED**

13. Resolution to approve contract amendment no. 1 between the Memphis and Shelby County Health Department and the Tennessee Department of Health to reduce the funding by \$16,084.00 to \$135,900.00 for laboratory services provided to the Tennessee Department of Health and for the maintenance of a bio-terrorism laboratory for the period July 1, 2003 – June 30, 2004 and to amend the FY 2003/2004 Shelby County Operating Budget.

AVERY ADOPTED	14.	Resolution requesting approval to amend the Memphis and Shelby County Health Department FY 2003-2004 Operating Budget and to appropriate funds in the amount of \$33,282.00 carried forward from FY 2002/2003 in the HIV/AIDS Prevention and Surveillance Program.
AVERY ADOPTED	15.	Resolution requesting approval to amend the Memphis and Shelby County Health Department FY 2003-2004 Operating Budget and to appropriate funds in the amount of \$4,227.00 carried forward from FY 2002/2003 in the HIV/AIDS Case Management Program.
THOMPSON ADOPTED	16.	Resolution approving a contract with CS3, Inc., and appropriating CIP funds in the amount of \$136,890.00 for renovation of the Shelby County Jail Laundry.
THOMPSON ADOPTED	17.	Resolution to accept the gift of two used Rapiscan Model 320 X-Ray Machines from the Memphis/Shelby County Airport Authority to Shelby County for the use and benefit of the Shelby County Sheriff's office.
THOMPSON ADOPTED	18.	Resolution amending the FY 2003-2004 Byrne Grant Budget of the Office of the District Attorney General for the West Tennessee Violent Crime and Drug Task Force to permit the transfer of funds from Operations and Maintenance to Personnel expenditures and to amend the Position Control Budget.
THOMPSON ADOPTED	19.	Resolution approving a contract with Conaway Brown, Inc., in an amount of \$80,580.00 for professional consultant services for the Public Safe Neighborhoods grant in the District Attorney General's office.
RENDTORFF ADOPTED	20.	Resolution to accept federal grant funds in the amount of \$20,613,444.00 for the Head Start Program for the period January 1, 2004 to December 31, 2004.
RENDTORFF ADOPTED	21.	Resolution approving a contract with Shelby County Government and Memphis City Schools Division of Nutrition Services for food services under the Child and Adult Food Care Program (CACFP) Head Start Enrollees Program in the amount of \$105,000.00.
RENDTORFF ADOPTED	22.	Resolution approving expenditure of funds by Shelby County Government to Mid-South Bus Center for two buses in the amount of \$116,000.00 and to amend the Shelby County Operating Budget for FY 2003-2004.
MOSS ADOPTED	23.	Resolution authorizing Amendment No. 1 to contract number CA01265 with the State of Tennessee Department of Finance and Administration to pursue general and comprehensive water resource planning development within the drainage area of the Wolf and Loosahatchie Rivers and Nonconnah and Horn Lake Creeks.

MALONE
ADOPTED

24. Resolution to accept a grant from the State of Tennessee Department of Economic and Community Development to provide Shelby County a total of \$450,214.00 through the Tennessee Industrial Infrastructure Program (TIIP) for costs associated with the rail improvements for the Osmose, Inc., Millington Tennessee Facility.

RENDTORFF
ADOPTED

CONSENT AGENDA

REGULAR AGENDA

Elections, Appointments, and Confirmations

FORD
ADOPTED

25. Resolution electing a member of the Tennessee House of Representatives to the office of State Representative for the Eighty-Ninth (89th) House District of Tennessee.

MALONE
DROPPED

26. Resolution approving inclusion of representatives of the Shelby County Board of Commissioners on the Industrial Development Board Pilot Evaluation Committee and appointing Commissioner Deidre Malone and Commissioner Tom Moss to serve as the designated representatives.

Ordinances

HOOKS
(DEFERRED
TO 01/12/04)

27. ORDINANCE – THIRD READING – An Amendment to the Joint Ordinance by the City Council of the City of Memphis and Resolution by the Board of the County Commissioners of Shelby County, creating the Memphis and Shelby County Office of Construction Code Enforcement and prescribing its power and duties; providing for the creation of a Joint Board of Appeals and the election of its chairman and vice chairman; providing for an Administrator and two Deputy Administrators for the office; providing for the distribution of funds accruing to said office and for the sharing the expense of operation of said board and office by said governmental bodies; creating Code Advisory Boards and Licensing Boards; adopting the current Shelby County Construction Codes as the Memphis and Shelby County Construction Codes; and authorizing the mayors of the City of Memphis and the County of Shelby to execute said agreements.

Zoning and Subdivisions

**HOOKS
(DEFERRED
TO 01/12/04)**

28.

CASE NO. Z 03-109 CC
(companion item to Ordinance No. 277(ZTA 03-001 CC and STA 03-001 CC)

APPLICANT: Memphis and Shelby County Office of Planning and Development and City/County Public Works

LOCATION: Fletcher Creek Drainage Basin, north of Shelby Farms between Summer Avenue on the west, Berryhill Road on the east and Memphis-Arlington Road on the north.

REQUEST: 1. Amend various sections of the Memphis and Shelby County Zoning Ordinance and Subdivision Regulations to create an overlay district for the Fletcher Creek Drainage Basin.

2. Designate the area within the Fletcher Creek Drainage Basin as the Fletcher Creek Drainage Basin (FCD) Overlay District.

Memphis and Shelby County Office of Planning and Development recommendation:

APPROVAL

Memphis and Shelby County Land Use Control Board recommendation:

APPROVAL

(Notice of public hearing published in the Daily News on Friday, October 17, 2003)

**HOOKS
(DEFERRED
TO 01/12/04)**

29.

CASE NO. P.D. 03-355 CC

APPLICANT: Nellie B. Hamilton/Rusco Company

LOCATION: North side of Holmes Road; +4,000 square feet east of Hacks Cross Road

REQUEST: A planned development to permit 106 single family detached lots with a typical lot size a lot 8,750 square feet within the plan.

Memphis and Shelby County Office of Planning and Development recommendation:

REJECTION

Memphis and Shelby County Land Use Control Board recommendation:

APPROVAL WITH CONDITIONS

(Notice of public hearing published in the Daily News on Friday, December 12, 2003)

**HOOKS
(REFERRED
TO COMMITTEE)**

30. **CASE NO. Z 03-124 CC**
APPLICANT: Toni Cox and Albert Nicholson
- LOCATION:** West side of Brunswick Road at Davies Plantation Road
- REQUEST:** Taking property out of the Agricultural (AG) Use District and including in the Residential Estate (R-E) Use District
- Memphis and Shelby County Office of Planning and Development recommendation:**

APPROVAL

Memphis and Shelby County Land Use Control Board recommendation:

APPROVAL

(Notice of public hearing published in the Daily News on Friday, December 12, 2003.)

Reports and/or Resolutions for Standing Committees

**KIRK
ADOPTED**

31. Resolution approving a contract with Public Financial Management, Inc., for financial management consultant services, in an amount not to exceed \$550,000.00.

**KIRK
(DEFERRED
TO 01/12/04)**

32. Resolution to freeze the Shelby County Position Control Budget at the current positions and salaries except for increases provided by current policy.

**THOMPSON
ADOPTED**

33. Resolution approving a contract with Motorola to provide an 800 digital trunk radio system for Shelby County Government.

**WILLINGHAM
(DEFERRED
TO 01/12/04)**

34. Resolution establishing an issue and dispute resolution procedure for FedEx Forum Arena documents and related issues.

**RENDTORFF
ADOPTED**

35. Resolution to approve the shared governance policy for the Head Start Program for calendar Year 2004.

**FORD
(REFERRED
TO COMMITTEE)**

36. Resolution to approve a new retirement program design for Shelby County Government and authorizing preparation of new plan documents.

**FORD
ADOPTED**

37. Resolution to approve a new disability insurance provider, modifying certain benefits and authorizing contract negotiations.

Announcements/Statements

Adjournment

**HOOKS
ADOPTED**

- 38. Resolution of Adjournment to January 12, 2003, at 1:30 p.m.**

AGENDA # 4
DECEMBER 22, 2003

4A

SUBDIVISION: GLEN LAKES P.D., PHASE 1 (P. D. 01-320 CC)

DEVELOPER: MARK MATTHEWS DEV., L.L.C.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO GLEN LAKES P.D., PHASE 1 (P. D. 01-320 CC)

LOCATION: EAST SIDE OF HOUSTON LEVEE ROAD; +/-12,500 FEET NORTH OF MACON ROAD

4B

SUBDIVISION: PINNACLE POINT SUBDIVISION, PHASE 4 (S 01-011 CC)

DEVELOPER: RUSCO COMPANY

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO PINNACLE POINT SUBDIVISION, PHASE 4 (S 01-011 CC)

LOCATION: 1,483 FEET SOUTH OF THE INTERSECTION OF MIGALDI DRIVE AND SHELBY DRIVE

4C

SUBDIVISION: WHITTEN FOREST P.D., PHASE 5, PART OF PARCELS 1 AND 2

DEVELOPER: TERKAP, L.L.C.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO WHITTEN FOREST P.D., PHASE 5, PART OF PARCELS 1 AND 2

LOCATION: NORTHEAST CORNER OF MANSLICK ROAD AND WHITTEN ROAD